



MICHIGAN PHYSICAL THERAPY ASSOCIATION

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December 8, 2009

To: Michigan House Health Policy Committee:
Re: SB 968

Dear Representatives:

M. Corriveau
K. Segal
B. Byrum
A. Coulouris
M. Donigan
B. Johnson

L. Liss
A. Neumann
Roy Schmidt
M. Simpson
D. Slavens

M. Valentine
J. Womack
J. Marleau
R. Ball
B. Calley

H. Crawford
C. Denby
K. Green
T. Moore
Paul Scott

The Michigan Physical Therapy Association (MPTA) OPPOSES SB 968.

- The MPTA believes that when professions have overlapping scopes of practice as do chiropractors and physical therapists, it is in the public's best interest to have those professions clearly defined and correctly represented in the community.
- The MPTA also believes that when professions have overlapping scopes of practice, state law is the best vehicle to protect the public, ensure that citizens retain a full and informed choice in health care providers and avoid unintended consequences by protecting those professions that have the overlapping scopes of practice.
- The MPTA has been working in good faith to find other avenues to address our specific concerns. Preliminary feedback from the Legislative Service Bureau has indicated that indeed our proposed amendments have merit in the content and placement within the Public Health Code and no other viable alternatives have yet been identified.

The amendments that MPTA proposes are already present in the public health code for other professions which also have overlapping scopes of practice; those professions include occupational therapy, athletic training and massage therapy. These amendments do not alter the intent of SB 968 to expand the chiropractic scope of practice and are even more important as the overlap in professions would be considerable as a result of SB 968.

MPTA would certainly yield to the Legislative Services Bureau on specific language and location, but recommend the following:

► **Amendment 1:** On page 3, line 26 insert letter "(G) The practice of physical therapy" so it will read: The practice of chiropractic does not include the following: (G) The practice of physical therapy.

► **Amendment 2:** At the end of the bill insert this language so it will read: *"This part does not prohibit an individual licensed under any other part or any other act from performing activities that are considered the practice of chiropractic so long as those activities are within the individual's scope of practice and the individual does not use the titles protected under this part."*

Amendment 1 rationale: The titles physical therapy and physiotherapy are protected terms under the public health code, Physical therapy/ Physiotherapy is exclusively that which is performed by a licensed physical therapist. MPTA is aware of over 30 chiropractic websites that advertise that they also provide physical therapy services when there is no licensed physical therapist associated with the chiropractic practice. This deceptive advertising confuses the public about their health care provider choices. Adding this amendment is necessary to clarify in statute the difference between chiropractic services and physical therapy services.



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Clarification is in the best interests of the citizens of Michigan, especially since this bill will expand the chiropractic scope of practice to include the

entire body. This language is already present in the public health code for occupational therapy, athletic training and massage therapy.

Amendment 2 rationale: There are overlapping services provided by various medical and non-medical health care providers in Michigan. The public health code defines the scope of practice for specific providers, thereby protecting the public.

There is a national precedent for chiropractic associations in other states seeking to restrict the scopes of practice of other professions. Without Amendment 2, SB 968 threatens the practice of physical therapy in Michigan and will reduce the consumer choice of rehabilitation services. Again, this language is already present in the public health code for occupational therapy, athletic training and massage therapy.

Patients may seek chiropractic services directly for themselves in Michigan; they do not need a referral from another licensed discipline in order to receive chiropractic care. Although patients in 44 states plus the District of Columbia may seek physical therapy services directly from a licensed physical therapist, that is not true in Michigan. Michigan is one of only six states that does not allow patients to seek care from a physical therapist directly. This means that the physical therapist (and therefore also the subfield license physical therapist assistant) are at a severe disadvantage when competing for patients. Competition is good; if patients can directly choose either a chiropractor or a physical therapist for their health care needs.

Since only chiropractors in Michigan have direct access to patients, the MPTA believes that Amendment 2 would ensure that the public and the physical therapy community are protected.

There is a solid precedent in the Public Health Code for the proposed amendment language where there is an overlap in professional scopes of practice. These proposed amendments do not detract from the expansion of chiropractic practice, rather, they protect other professions and the consumers of Michigan from the unintended consequences that might otherwise result.

On behalf of the Michigan Physical Therapy Association, I urge you to add these amendments to SB 968.

Thank you for allowing MPTA to submit this testimony.



Kathleen "Jake" Jakubiak Kovacek, PT
President - Michigan Physical Therapy Association